UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

ALLAN MOONEY,

Plaintiff,

v.

Case No.: 13-CV-00648 (DWF/JJG)

FRITO-LAY NORTH AMERICA, INC., and PEPSICO, INC.,

Defendants.

DEFENDANTS' LOCAL RULE 7.1 MEET-AND-CONFER STATEMENT

On April 9, 2013, the undersigned counsel for Defendants met and conferred with Plaintiff's counsel in a good-faith effort to resolve the issue raised by Defendants' motion for an order deferring ruling on Plaintiff's motion to remand. Unfortunately, the parties could not agree on deferring the Court's consideration of the motion to remand pending the Judicial Panel on Multidistrict Litigation's decision to transfer this case to the Eastern District of New York.

RESPECTFULLY SUBMITTED,

DATED: April 10, 2013

s/Troy J. Hutchinson
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Attorneys for Defendants Frito-Lay North America, Inc. and PepsiCo, Inc.